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Technology Center 2100

In re Application of: Y. Schmeidler et al.
Application No.: 09/310,294
Filed: May 12, 1999
For: METHOD AND APPARATUS FOR
SECURE CONTENT DELIVERY OVER
BROADBAND ACCESS NETWORKS

**DECISION ON PETITION
TO MAKE SPECIAL**

This is a decision on the response filed January 3, 2002 to the decision mailed August 13, 2001 regarding the petition filed July 9, 2001 under 37 C.F.R. §102(d) and M.P.E.P. § 708.02(II): Infringement, to make the above-identified application special. In light of the certificate of mailing of October 15, 2001 and recent postal issues, the response is seen as timely.

A grantable petition under 37 C.F.R. §1.102(d), and M.P.E.P. §708.02, Section II, must be accompanied by payment of the fee under 37 C.F.R. §1.17(i) and a statement under 37 C.F.R. §1.102 by the applicant or assignee or statements by an attorney/agent registered to practice before the Patent and Trademark Office that: (A) there is an infringing device or product actually on the market or method in use; (B) a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and (C) he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the prior art. Finally, applicant must provide one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record.

Applicant's submissions filed July 9, 2001 and January 3, 2002 together meet all the criteria set out above. Accordingly, the petition is **GRANTED**. The application file is being forwarded to the Examiner of Record for expedited examination.

Robert A. Weinhardt
Special Program Examiner
Technology Center 2100
Computer Architecture, Software, & Electronic Commerce
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